

Docket No.: 3691-0122PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Yasuhiko TABATA

Application No.: 10/549,695

Confirmation No.: 9610

Filed: September 19, 2005

Art Unit: Not Yet Assigned

For: SUSTAINED-RELEASE HYDROGEL  
PREPARATION

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated May 16, 2006, Applicant respectfully submits:

☒ Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).

☒ Attached is the Executed Declaration and Power of Attorney ☒ Original ☐ Photocopy.

☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on September 19, 2005, including any amendments thereto (if applicable) filed on even date therewith.

☒ **The undersigned hereby declares that "Attorney Docket No. 3691-0122PUS1" on page 1 of the attached Inventors' Declaration corresponds to Application No.10/549,695 filed September 19, 2005, entitled "SUSTAINED-RELEASE HYDROGEL PREPARATION."**

☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

☐ Attached are 0 sheet(s) of drawings. Please substitute these replacement drawings for the corresponding 6 sheet(s) of drawings on file in the above-identified application.

☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

☐ Attached is a preliminary amendment.

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

☐ Attached is a Supplemental Application Data Sheet (ADS).

☒ **Submitted concurrently herewith under separate cover for recording is an Assignment.**

- ☐ Attached is a Petition for Extension of Time.
- ☒ The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on September 19, 2005.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: MAY 26 2006

Respectfully submitted,

By *Gerald M. Murphy, Jr.* #48,501  
for Gerald M. Murphy, Jr.  
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Attorney for Applicant

Attachment(s)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

ETP

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,695	Yasuhiko Tabata	3691-0122PUS1

INTERNATIONAL APPLICATION NO.
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PCT/JP04/03400

I.A. FILING DATE	PRIORITY DATE
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03/15/2004

03/17/2003

02292

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FALLS CHURCH, VA 22040-0747

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**DOCKETED**  
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CONFIRMATION NO. 9610

371 FORMALITIES LETTER



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*7/16/06*

Date Mailed: 05/16/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/19/2005
- English Translation of the IA filed on 09/19/2005
- Copy of the International Search Report filed on 09/19/2005
- Information Disclosure Statements filed on 09/19/2005
- U.S. Basic National Fees filed on 09/19/2005
- Priority Documents filed on 09/19/2005
- Specification filed on 09/19/2005
- Claims filed on 09/19/2005
- Abstracts filed on 09/19/2005
- Drawings filed on 09/19/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/549,695

INTERNATIONAL APPLICATION NO.

PCT/JP04/03400

ATTY. DOCKET NO.

3691-0122PUS1

FORM PCT/DO/EO/905 (371 Formalities Notice)